



Nursing Care Quality Assurance Commission (NCQAC)
MINUTES
January 12, 2007 Business meeting
310 Israel Rd SE
Tumwater, WA

Commission Members
Present:

Judith D. Personett, EdD, Certified Nurse
Administrator Advanced (CNAA), RN, Chair,
Susan Wong, MBA, MPA, RN, Vice-Chair
Linda Batch, LPN
Erica Benson-Hallock, MPPA, Public Member
Richard Cooley, LPN
William Hagens, MA, Public Member
Todd Herzog, CRNA, RN
Robert Salas, RN
Diane Sanders, BC, MN, RN
Rhonda Taylor, MSN, RN
Mariann Williams, MPH, MSN, RN, ARNP
Susan Woods, RN, FAHA, FAAN, PhD,

Assistant Attorney General
Present:

Gail Yu, Assistant Attorney General

Staff present:

Paula Meyer, MSN, RN, Executive Director
Kris McLaughlin, Secretary
Usrah Claar-Rice, MSN, RN, Nurse Education Manager
Chuck Cumiskey, BSN, MBA, RN, Nurse Practice Manager
Taylor Stair, Health Services Consultant
Terry West, Health Services Consultant

1. 8:30AM Opening — Dr. Judith D. Personett, Chair

- Dr. Personett called the meeting to order at 8:38AM.
- Introductions were made by the NCQAC members, staff, visitors and thirty- four students from Northwest University School of Nursing.
- Order of the Agenda – The revised agenda shows that item #19 should be continuing competency subcommittee rather than consistent standards of practice.
- Correspondence – There was none today.
- Announcements – Ms. Paula Meyer gave an update on staff changes within Health Professions Quality Assurance (HPQA) Section 6. The Disciplinary section must track cases sent to the reviewing commission members, therefore it is vital that all emails are responded to as soon as possible in order to track them. Ms. Meyer explained when you receive a file with a complaint or allegations of substance abuse or potential drug diversion, it is critical that the investigative reports are looked through immediately to ensure that Washington Health Professional Services (WHPS) has been offered. If it has not been offered, the file must be returned to Ms. Rogers then back to Investigative Services Unit (ISU). This information should be in the summary portion of the file.

2. **Consent Agenda**

Items listed under the consent agenda are considered routine agency matters and approved by a single motion of the Commission without separate discussion. If separate discussion is desired, that item will be removed from the consent agenda and placed on the regular business agenda.

- A. Approval of minutes
 - 1. NCQAC business meeting
 - 2. NCQAC Disciplinary Hearing minutes
 - 3. Licensing and Discipline sub-committee
 - 4. Consistent Standards of Practice sub-committee
 - 5. Continuing Competency sub-committee
 - 6. Nursing Program Approval Panel (NPAP)
- B. Joint Commission of Accreditation of Healthcare Organizations (JCAHO) Potential 2008 National Patient Safety Goals and Requirements, Hospital Version
- C. National Council of State Boards of Nursing (NCSBN) Correspondence
 - i. National Council Licensure Examination (NCLEX) minutes
 - ii. New Press Release Announcing Change in NCLEX-RN® Passing Standard
- D. Department of Health (DOH) correspondence
 - 1. Letter from Washington State Nurses Association, Joan Garner, to Bonnie King, HPQA Director and response
- E. Licensing statistics

DISCUSSION: Ms. Mariann Williams requested that item #2, C be removed from the consent agenda.

MOTION: A motion made and passed to accept the consent agenda items with the removal of agenda item #2, C and place it on the regular agenda for discussion.

3. **ED report - Paula Meyer**

A. **Legislative Task Force:**

DISCUSSION: Ms. Meyer reported that the 2007 Legislative session began Monday, January 9 and may be requested. Each year volunteers will be asked to review the Legislative Task Force position description review and its membership. The task force must be less than a quorum. Dr. Personett will also participate on weekly conference calls to review legislation with Health Professions Quality Assurance (HPQA).

MOTION: A motion was made and passed that the Legislative Task Force members are Mariann Williams, Bill Hagens, Erica Benson-Hallock, Linda Batch, Judith Personett, Susan Wong and Paula Meyer. Before the weekly conference calls, bills that need to be discussed will be identified and an email will be sent to each of the task force members with the bill(s) attached.

B. **Nominating Committee**

DISCUSSION: The NCQAC chooses the members of its nominating committee at the January meeting. The committee then chooses a slate of candidates for chair and vice chair, presents the slate of candidates at the March meeting, and the election occurs at the May meeting. Officers take their place at the July meeting.

DECISION: Rhonda Taylor, Dr. Susan Woods and Susan Wong volunteered to be on the nominations committee. They agreed to first self elect a chair then present a slate of candidates at the March meeting.

4. **Refresher Courses - Usrah Claar-Rice and Taylor Stair**

At the May 2006 meeting, the NCQAC approved a policy allowing people in WA state refresher courses that held inactive or previous licenses in WA to activate those licenses, complete refresher courses successfully and become licensed. The issue of people that

have inactive or expired licenses in other states was not addressed. The issue will be reviewed and the NCQAC will consider a policy at this meeting. This may require a rules change as soon as possible. The licensing and definition rules are currently open and can be amended.

DISCUSSION: At the May 2006 meeting, the issue of people with inactive or expired licenses in other states was not addressed. Ms. Taylor Stair explained the applicable laws and rules, Ms. Stair read a letter from Ms. Judy Underhill an applicant who had previously been licensed in Arkansas. Ms. Carol Johns from the Intercollegiate College of Nursing Education read her statement. Both letters are available upon request from the HPQA #6 Licensing Manager. Others who expressed comments were Joan Garner representing Washington State Nursing Association, Clara Mize and Sandy Wyrick.

Executive Session

After hearing all comments from the audience a decision was made to adjourn to closed session at 9:18AM for approximately thirty minutes. This portion of a regular or special meeting is closed to the public to receive legal counsel from the assistant attorney general relating to enforcement actions or litigation or potential litigation.

DISCUSSION: The meeting reconvened at 10:25AM. Additional comments were heard from Ms. Underhill whose letter had been read earlier by Ms. Stair. Dr. Personett gave a brief summary of the executive session. It was determined that policy B-04-01, written in 1996, is outdated and needs to be rewritten.

ACTION: A motion was made and passed that in congruence with RCW 18.79.160 and RCW 18.79.170 and based on the statutory authority of RCW 18.79.110, the NCQAC will adopt a procedure to allow nurses to apply for licensure by examination and require the applicants to successfully complete a NCQAC approved refresher course to qualify for licensure. A friendly amendment was made to change the language to "successfully" complete a program. The motion will be effective as of today, January 12, 2007.

5. Best Practices Regarding Hospice Clients with Community Based Nurse Delegated Paid Caregivers - Paula Meyer, Chuck Cumiskey – DISCUSSION/ACTION

In community based hospice settings, sealed urgent care kits are placed in the homes to provide medications to hospice patients when symptoms occur such as uncontrolled pain, nausea, anxiety. Delegating nurses train and supervise paid nursing assistants in these settings, and hospice nurses also work with these nursing assistants. The nursing assistants are not employees of the hospice. The Washington State Hospice and Palliative Care Organization would like to present their best practices to the NCQAC for discussion and consideration as the standard for care in Washington State.

DISCUSSION: A description of the issue was presented by Ms. Meyer. Ms. Anne Koepsell, MHA, BSN, RN, ED, representing The Washington State Hospice and Palliative Care Organization presented their best practices associated with the use of urgent care kits to the NCQAC for discussion and consideration as the standard for care in Washington State. Doris Barrett, representing the Department of Social and Health Services (DSHS) Nurse Delegation was available for questions.

The NCQAC commented that it was hard to follow the best practices letter. A suggestion was made to use bullet points rather than the letter. Some of the terms such as nurse delegator are not clearly defined. It was suggested that the terms be defined with more detail.

ACTION: A motion was made and passed to adopt the recommendation by the Washington State Hospice and Palliative Care Organization. Delegating nurses will train and supervise the nursing assistants. When the urgent care kit is needed, the nursing assistant communicates with the hospice nurse to begin the use of the urgent care kit. A copy of the letter addressed to the

NCQAC describing the full procedure is available upon request by contacting Kris McLaughlin at kris.mclaughlin@doh.wa.gov or by phone at 360-236-4713.

6. Operating Agreement - Terry West - DISCUSSION/ACTION

According to the Operating Agreement between the NCQAC and the DOH, the business plan and the budget are to be reviewed at the January meeting. Ms. Terry West will review the budget and the sub-committees will present reports on their strategic (business) plans.

DISCUSSION: Ms. West reviewed the budget report line by line with the NCQAC. Some of the items that are being considered for future orders are microphones, tape recorders and laptops.

7. Nursing Technicians – Paula Meyer - DISCUSSION/ACTION

At the July 12, 2006 meeting, the NCQAC requested information on what it would take to move the nursing technicians under the NCQAC and reduce their fees. Staff will present the impact for nursing and nursing technicians and the next steps.

DISCUSSION: A fee study to determine actions will be completed. The anticipated hearing date to change the fees may be held approximately May 21-25, 2007, and then filed with the Code Revisers Office. The earliest the fee change could be effective is July, 2007.

ACTION: A motion was made and passed to hold a special meeting in May. A conference call or video conference is being considered.

8. Board/Commission/Committee Survey Results – Paula Meyer and Taylor Stair - DISCUSSION/ACTION

The results of the NCQAC satisfaction survey will be presented.

DISCUSSION: Ms. Stair explained the results of the survey in which she helped develop. She discussed the need to raise the response rate which was only 37%. The next survey will be shorter and more focused. Ms. Stair anticipates the next survey in June and NCQAC members will be asked to participate. Use of the web-site will be one of the items on the survey. Ms. Stair explained the need for all to participate in order to get a true picture of the needs. Ms. Meyer thanked the NCQAC members for the positive comments regarding her and the staff and their participation.

9. National Council of State Boards of Nursing (NCSBN) elections - Paula Meyer

The following positions are open and the NCQAC can make nominations:

- i. Area I director
- ii. Nominations committee – Paula Meyer is currently serving on this committee and seeking to serve another term.

Awards are given annually by members. The NCQAC will be asked for their input and assistance to complete award applications.

DISCUSSION: Ms. Rhonda Taylor currently serves on the item review committee which meets three times a year to choose the items for the NCLEX examinations. Ms. Taylor reported that she has reviewed over 1400 items in four days for this committee. Dr. Personett currently serves as the chair of the resolutions committee and is not interested in seeking a board of director's position or another committee position at this time.

ACTION: A motion was made by Ms. Taylor and passed to nominate Ms. Meyer for Area 1 Director. The NCQAC made a decision to support Ms. Meyer for either Area 1 Director or the nominations committee.

Ms. Meyer explained the R. Louise McManus Award, the Meritorious Achievement Award, the Exceptional contribution Award, the Regulatory Achievement Award and the Exceptional

Leadership Award. The NCQAC was asked for their input and assistance to complete the award applications. All nominations need to be e-mailed to NCSBN by February 28, 2007.

ACTION: Ms. Williams and Dr. Personett volunteered to assist with the application for awards.

10. Discussion Items – There were no discussion items at this time.

If items are selected for action and a task force assigned, the group will meet once, complete the charter and then come to the next meeting for decision to proceed

LUNCH

1:00PM–OPEN MIKE

Open mike is for public presentation of issues to the Nursing commission.

DISCUSSION: Ms. Joan Garner, representing Washington State Nurses Association (WSNA), thanked the NCQAC for having microphones and speakers at this meeting. She requested that a form be developed on the best practices and that she feels it is another way of requesting advisory opinions. In regards to the NCSBN officers, she explained that WSNA is disappointed that there are no Governor appointed people on the NCSBN board of directors. Ms. Garner reported that WSNA's the primary issues this Legislation session are patient safety and nursing staffing issues, implementation of safe lifting laws, funding for student slots, data collection and analysis, an adequate number of public health nurses (at issue since the 1930's) and that they continue to work for school nursing funding. Ms. Garner also suggested that the NCQAC break for lunch prior to noon as it is difficult to find a place for lunch at the noon hour and return by 1:00PM.

11. Washington Center for Nursing (WCN) – Linda Tieman - DISCUSSION

Ms. Tieman will present an update on the work of the Center for Nursing

DISCUSSION: Ms. Linda Tieman, Executive Director for the WCN distributed copies of the Washington State Data Snapshot. A copy of the snapshots and Ms. Tieman's power point presentation are available upon request at kris.mclaughlin@doh.wa.gov. A question was asked when the next summit will be scheduled and Ms. Tieman replied that they will know next week but it won't be held during spring break.

12. Advisory Opinion/Interpretive Statement DRAFT procedure

DISCUSSION: A draft of the procedure was presented to the commission. Mr. Cumiskey explained that all advisory opinions will be reviewed annually by the commission. Advisory opinions that are five years or older will automatically be rescinded and communicated to the code reviser's office. If an advisory opinion is reviewed and accepted then the date would be changed to the current date and it would begin its five years at that time.

DECISION: A decision was made to return the draft to the Nurse Practice Manager, revise the procedures to be more specific then bring back to the commission. It was suggested to add Interpretive Statements to the procedure.

13. Practice Guidelines Chuck Cumiskey - DISCUSSION/ACTION

DISCUSSION: The NCQAC Practice Guidelines are currently posted to the web-site and need to be reviewed for relevance and current materials. Three NCQAC members will be asked to review the Practice Guidelines, provide recommendations and present these to the NCQAC at the March meeting.

ACTION: Ms. Diane Sanders, Ms. Linda Batch and Mr. Robert Salas volunteered to review the practice guidelines and bring recommendations to the March business meeting.

14. NCSBN – NCLEX- PN® test plan – Paula Meyer- DISCUSSION/ACTION

DISCUSSION: The NCLEX test plans are reviewed every three years according to the job analysis and recommendations to change the test plan. The NCSBN is requesting feedback from the boards of nursing on the NCLEX-PN® test plan. A suggestion was made to assign the review of the test plan to an NPAP panel that meets in February.

ACTION: A motion was made and passed that the test plan be forwarded to the NPAP panel for recommendations at the March business meeting. The NPAP panel chosen is led by Ms. Taylor.

15. Procedure 256, Mandatory Summary Actions Implementing SHB 2974- Mary Dale – DISCUSSION/ACTION

DISCUSSION: This new procedure implements part of SHB 2974 that involves license holders. Case files involving out of state actions that remove practitioners from practice in another state are sent directly to the Investigative Services Unit without board/commission authorization of an investigation. The Office of the Attorney General has advised that these investigations are mandated by the legislature. The NCQAC will receive a report on the number and outcomes of this legislation. Ms. Meyer, in Ms. Dale's absence, explained that the license is immediately suspended and the NCQAC then holds a hearing to determine if the action in the other state is equivalent to misconduct in our state. The NCQAC can then take a final action on the license. Ms. Meyer state the NCQAC was the first disciplinary authority to take action under this new law and the majority of actions taken under this new law have been by the NCQAC.

16. Disciplinary Paperwork – Rick Cooley- DISCUSSION/ACTION

DISCUSSION: Mr. Cooley revised the NCQAC discipline worksheet to complement the HPQA sanctions worksheet. Both of these forms will work with the NCQAC Sanctioning Standards and the HPQA Sanctioning Guidelines to document decisions. The Case Summary Report then captures mitigating and aggravating circumstances. Mr. Cooley developed these forms so that they can be submitted electronically rather than through the postal service. Mr. Cooley presented the revised worksheet to the commission members and the edits will be made and presented at the January meeting. Mr. Cooley explained the possibility of receiving disciplinary paperwork on a CD. This is in the beginning stages and is understood that it is going to take some training. A secured on-line network would be optimal. The importance of keeping your work computer separate from your personal computer was discussed. There was concern about discoverability if using a personal computer.

DECISION: Dr. Personett made a suggestion that the July workshop be devoted to training on laptops. Dr. Woods volunteered to participate to get investigative files on a CD rather than paper copies.

17. NCQAC website – Terry West- DISCUSSION/ACTION

Ms. Terry West gave a presentation on navigating the website at the November business meeting and welcomed suggestions from the NCQAC and audience.

DISCUSSION: At the November business meeting, Ms. West welcomed suggestions from the NCQAC members and audience. A motion was made and passed for all NCQAC members to review each page of the website and provide suggestions. A few changes need to be made with the most important being navigating the site. Ms. West will request changes to be made. Michael Wilson, Communications director for the office of the health Systems Quality Assurance assistant secretary is working on the improving the websites. He will be asking for volunteers to review the website after the changes have been made.

18. Calendar of Events – Paula Meyer – DISCUSSION/ACTION

DISCUSSION: The NCQAC members will review the 2007 calendar of events.

DECISION: A decision was made that a fourth charging panel will be held during the day. Members are Ms. Taylor, Dr. Woods, Ms. Cheryl Payseno and Ms. Batch. They will conduct their meetings on the third Tuesday of each month.

19. Subcommittee reports

A. Continuing Competency - Todd Herzog

Discussion: Mr. Todd Herzog reported that at a joint meeting of the Continuing Competency and Consistent Standards of Practice Subcommittees on December 19, 2006. Members of these two committees voted unanimously to suspend work on the Professional Portfolio Pilot Project as approved by the NCQAC as a measure of competency. Instead, the joint committee will begin work to create a package of recommendations which may better describe nursing competency. As a beginning point, the joint committee will evaluate programs such as the one in North Carolina that have already addressed some of the concerns voiced by the committee over the past year.

Since work on the Professional Portfolio Pilot Project was mandated by the NCQAC, a motion to discontinue work is necessary.

ACTION: A motion was made and passed to discontinue the portfolio project.

B. Discipline and Licensing – No report at this time.

#2, C NCSBN APRN Summit

DISCUSSION: Ms. Mariann Williams requested the NCQAC discuss the summit scheduled for February 26, 2007, in Chicago. The purpose of this APRN Summit will be to identify the current state of APRN regulation and to explore solutions to the lack of uniformity in APRN regulation. Current developments in APRN education, accreditation, certification and practice that can affect APRN regulation will also be discussed.

Objectives of the APRN Summit

1. Examine APRN regulatory principles for effective regulation of APRNs.
2. Describe the current state of APRN regulation in the United States.
3. Discuss possible solutions for current APRN regulatory concerns.
4. Develop strategies for effective collaboration with internal and external APRN Stakeholders.
5. Identify available APRN resources.

They are asking that participants consult with their respective board of nursing and bring two issues for discussion during the Summit.

20. Closing – The meeting was adjourned at 2:00PM on January 12, 2007.

Approved by: Dr. Judith Personett, Chair

Notes taken by: Kris McLaughlin

Signature

Signature